

Chairperson: Supervisor Lynne De Bruin
Committee Clerk: Maribeth Welchman, 278-4226
Research Analyst: Julie Esch, 278-4430

COMMITTEE ON PARKS, ENERGY AND ENVIRONMENT

Tuesday, April 4, 2006 – 9:15 a.m.
Milwaukee County Courthouse, Room 201-B

REVISED MINUTES

TAPE NO. 39, Side B, No. 490 to end of tape
TAPE NO. 40, Sides A & B, No. 001 to end of tape
TAPE NO. 41, Sides A & B, No. 001 to end of tape

ROLL CALL:

PRESENT: Supervisors Devine, Borkowski, Schmitt, McCue, Broderick, Clark and De Bruin
(Chairman)

EXCUSED: None

Scheduled Items:

1. 06-206 From Director, Department of Transportation, Public Works and Transit (TPW), requesting authorization for the County Conservationist to apply for and receive the staffing and cost-share grant offered by the Department of Agriculture, Trade and Consumer Protection for fiscal year 2007. **(Also to the Land Conservation Committee.)** (Tape No. 40A-414)

APPEARANCES: Mr. Gary Mick, Director, Environmental Services, Department of Public Works, Architecture, Engineering and Environmental Services Division (AE&ES)

MOTION BY: (DEVINE) Approve items 1 and 2 (File Nos. 06-206 and 06-218). **(Vote 7-0)**

AYES: Devine, Borkowski, Schmitt, McCue, Broderick, Clark and De Bruin
(Chairman)

NOES: None

EXCUSED: None

2. 06-218 From Director, TPW, requesting approval of the Milwaukee County Land and Water Resources Management Plan dated April 2006. **(Also to the Land Conservation Committee and Finance and Audit.)** (Tape No. 40A-414 to 421)

APPEARANCES: Mr. Gary Mick, Director, Environmental Services, Department of Public Works, AE&ES

Scheduled items (continued):

SEE ACTION UNDER NUMBER ONE (1) ABOVE.

3. 06-117 From Director of Transportation and Public Works, requesting authorization to apply for and accept federal and state grants for testing water quality at County ponds and lagoons, and to develop a pond/lagoon management plan. **(Also to the Committee on Finance and Audit)** (Tape No. 40A-422) **(SUBSTITUTE FISCAL NOTE DATED 4/3/06.)**

APPEARANCES: Mr. Gary Mick, Director, Environmental Services, Department of Public Works, AE&ES

Note: The above item relates to a previously adopted resolution (File No. 03-108) that authorized the Director of Public works to accept the DNR Lake Management Planning grants offered; this report is requesting approval of the submitted Pond and Lagoon Management Plan.

MOTION BY: (CLARK) Approve. **(Vote 7-0)**

AYES: Devine, Borkowski, Schmitt, McCue, Broderick, Clark and De Bruin (Chairman)

NOES: None

EXCUSED: None

4. 04-267 Status report from Director, TPW, relative to Request for Proposals to provide
(a) Guaranteed Energy Savings Performance Contracting to repair County building infrastructure. **(Also to the Committee on Transportation and Public Works.) (INFORMATIONAL UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)** (Tape No. 40A-578 to 40B-369)

APPEARANCES: Mr. Greg High, Director, AE&ES, Department of Public Works
Mr. Jim Krul, Honeywell, Inc. (support)

Mr. High explained that the Department of Transportation and Public Works is still in the process of working with Corporation Counsel, the Department of Administration and Risk Management to create a draft agreement to attach to the request for proposal when it is circulated. He stated that a lot of efficiencies could be captured in the area of County pools and the Zoo buildings.

Discussion ensued (Tape No. 40A-650 to 700).

MOTION BY: (CLARK) Direct the Directors of the Departments of Transportation and Public Works and Administration and Corporation Counsel to meet with the Zoo and Parks Department Directors and energy companies representatives and report back relative to options. (Tape No. 40B-365)

Scheduled items (continued):

Chairman De Bruin directed that a progress report should be prepared for the next meeting cycle. Upon hearing no objections, Chairman De Bruin so ordered the matter referred for a report back.

5. 06R08 Informational report from the Director, TPW, relative to Countywide Facility Inventory and Assessment Program. **(Also to the Committee on Transportation and Public Works.) (INFORMATIONAL UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.) (Milwaukee County Building and Property Inventory (PowerPoint, Access and VFA) presentation and Milwaukee County Property Inventory Map.) (Copies attached to original copy of these minutes.)** (Tape No. 40B-370 to 631)

APPEARANCES: Mr. Mike Zylka, Preventative Maintenance Program Manager, Department of Public Works

A verbal presentation was made to the Committee on the above item; discussion ensued.

NO ACTION TAKEN ON THE ABOVE ITEM.

6. 05-543 Report, referred back 12/15/05 and 3/9/06, recommending confirmation of appointments by the County Executive of the following individuals, indefinitely, to the Local Emergency Planning Committee: Richard Kante, Rod McWilliams, Jack Takerian and Marty Dierker. (Tape No. 40B-632)

APPEARANCES: Ms. Julie Esch, Research Analyst, Committee on Parks, Recreation and Culture

MOTION BY: (SCHMITT) Refer to the Committee on Judiciary, Safety and General Services. **(Vote 6-1*)**

AYES: Devine, Borkowski, Schmitt, McCue, Broderick and De Bruin (Chairman)

NOES: Clark

EXCUSED: None

*Tape No. 41A-220) Supervisor McCue requested unanimous consent to be recorded as voting aye on the above item; Supervisor Clark requested unanimous consent to be recorded as voting no on the above item. Upon hearing no objections, Chairman De Bruin so ordered the vote changed from 5-0 to 6-1.

7. 06R07 From the Director, Zoological Department, providing a verbal progress report on the Bliffert Property Development. **(Also to the Committee on Economic and**

Scheduled items (continued):

Community Development.) (INFORMATIONAL UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.) (Copy attached to original copy of these minutes.) (Tape No. 40B-715 to 41A-80)

APPEARANCES: Mr. Chuck Wikenhauser, Zoo Director

Mr. Wikenhauser stated that the presentations to the Economic and Community Development and Parks, Energy and Environment Committees is a precursor to seeking authorization for proposals for the development of the Bliffert property. He stated that a progress report and draft request for proposals will be finalized in May or June, with the timeline for selecting the developer and finite plan for the hotel facility sometime in September [2006].

Supervisor Devine requested a one-page summary of what has transpired so far and the timeline as described above.

NO FURTHER ACTION TAKEN ON THE ABOVE ITEM.

8. 06-110 Resolution by Supervisor White, requesting the resignation of all members of the Milwaukee Public Museum Board of Directors who served on the Board prior to May 2005. (Tape No. 41A-102 to 249)

Chairman De Bruin stated that Supervisor White was in attendance, but had another commitment and could not stay to speak on this item.

MOTION BY: (McCUE) Place on file. **(Vote 7-0)**

AYES: Devine, Borkowski, Schmitt, McCue, Broderick, Clark and De Bruin (Chairman)

NOES: None

EXCUSED: None

9. 06-193 From County Executive, requesting confirmation of the appointment of Mr. Yash Wadhwa to serve on the Milwaukee Public Museum Board of Directors for a term to expire on January 1, 2009.

APPEARANCES: Mr. Yash Wadhwa

Ms. Fran Rudig, Communications Specialist, County Executive's Office

Mr. Wadhwa stated that he currently resides in Glendale, where he has been a resident for 27 years.

MOTION BY: (McCUE) Approve. **(Vote 7-0)**

AYES: Devine, Borkowski, Schmitt, McCue, Broderick, Clark and De Bruin (Chairman)

Scheduled items (continued):

NOES: None

EXCUSED: None

10. 06-28 (a) From Chief Financial Officer, MPM, submitting a Second Quarter Status Report. **(Also to the Committee on Finance and Audit (File No. 06F9).)**
(INFORMATIONAL UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)
(Tape No. 41A-230 to 504)

APPEARANCES: Mr. Michael Bernatz, Chief Financial Officer, MPM

Mr. Bernatz provided an overview of his report dated March 31, 2006.

Discussion ensued.

NO ACTION TAKEN ON THE ABOVE ITEM.

11. 05-195 Resolution by Supervisor Nyklewicz, authorizing and directing the Superintendent of Parks/DPPI to negotiate a lease with the Southeastern Hockey Association of Wisconsin (SHAW) for the construction of an additional ice rink at Wilson Park. (Tape No. 41A-505 to 618)

APPEARANCES: Ms. Sue Black, Superintendent, Department of Parks, Recreation and Culture

Mr. Stephen Agostini, Fiscal and Budget Administrator, Department of Administrative Services (DAS)

Ms. Lauri Panella, Chief of Recreation Services, Parks Department

Chairman De Bruin stated that Supervisor Nyklewicz could not attend the meeting today and asked that the Committee move forward as to due diligence on this issue. She stated that the original resolution was referred to Corporation Counsel, Parks, County Board and Administrative Services staff on May 17, 2005.

Ms. Black stated that the Department has been moving forward for almost one and one half years, and there is a meeting scheduled this week with representatives of SHAW regarding fundraising. Mr. Agostini stated that he needs documents [from SHAW] in order to do due diligence.

Supervisor McCue suggested that the report back include a look at the cost to operate the facility as it currently exists and if another sheet of ice is added. He said that the decision on a competing ice rink [in Cudahy] should also be reviewed.

MOTION BY: (SCHMITT) Lay over until SHAW delivers the operational

Scheduled items (continued):

documents so that the Department of Administrative Services can do due diligence. (Tape No. 41A-606).

Chairman De Bruin directed that the report back be prepared for the next meeting cycle and should include information from the original referral as well.

VOTE ON MOTION TO LAY OVER: (Vote 6-1)

AYES: Borkowski, Schmitt, McCue, Broderick, Clark and De Bruin (Chairman)

NOES: Devine

EXCUSED: None

12. 04-442 Report, referred back 3/9/06, recommending adoption of a substitute resolution
(a)(a) authorizing and directing the Superintendent of Parks to execute a twelve month operating agreement with Bartolotta Catering, LLC, for the day-to-day operation of the Boerner Education and Visitor's Center (Center) and to execute the revised Memorandum of Understanding between the Friends of Boerner Botanical Gardens and Milwaukee County for the calendar year 2006 to reflect changes associated with their decision to cease daily operation of the Center. (Tape No. 39B-491 to 40A-413) **(4/4/06 VERSION OF OPERATING AGREEMENT BETWEEN MILWAUKEE COUNTY AND BARTOLOTTA CATERING, LLC.)**

APPEARANCES: Mr. Bill Domina, Milwaukee County Corporation Counsel
Mr. Brian Lanser, Bond Counsel
Mr. Jim Keegan, Finance Manager, Parks Department
Ms. Sue Black, Superintendent, Parks Department
Ms. Patty Yunk, AFSCME 48

Mr. Domina explained private use standards for extending bonds; the agreement constructed for the operation of the Center; and that the Friends of Boerner Botanical Gardens have requested a 30-day termination agreement provision be inserted in the draft agreement dated April 4, 2006. He stated that this termination clause can be added to the draft agreement prior to the April 13, 2006 County Board meeting.

Mr. Lanser summarized the changes, line by line, from the previous draft agreement to the 4/4/06 document. Mr. Domina and Mr. Keegan provided further clarification of the changed terms.

In response to a question from Supervisor Borkowski, Ms. Black stated that the request for proposals will come back to the Parks Committee in May or June, with the goal that it will be finalized prior to the budget process.

Discussion ensued regarding the fiscal note, the \$75,000 donation, the

Scheduled items (continued):

requirements and responsibilities of operation and maintenance of the building and future privatization of the Center.

MOTION BY: (DEVINE) Approve the previous recommendation of the committee to approve, with the caveat that the draft agreement is updated to reflect the April 4, 2006 submission, as amended to include a 30-day termination clause requested by the Friends of Boerner Botanical Gardens (Tape No. 40A-378). **(Vote 6-1)**

AYES: Devine, Borkowski, Schmitt, McCue, Broderick and De Bruin (Chairman)

NOES: Clark

EXCUSED: None

13. 06R02 Report from the Superintendent of Parks relative to the Parks Department's 2006 operations plan. **(INFORMATIONAL UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.) (Copy attached to original copy of these minutes.)** (Tape No. 41A-619 to 41B-504)

APPEARANCES: Ms. Sue Black, Superintendent, Parks Department

Mr. Stephen Agostini, Fiscal and Budget Administrator, DAS

Mr. Jim Keegan, Finance Manager, Parks Department

Ms. Patti Yunk, AFSCME

Chairman De Bruin requested a written report from the Parks Department that can be distributed in the next few weeks that defines examples of operations reductions, what the public should expect relative to changes in the Parks, and the utility costs, etc. She stated that monthly reports will be provided to the Parks Committee in these particular areas and any new issues that arise from the plan.

NO FURTHER ACTION TAKEN ON THE ABOVE ITEM.

14. 06R03 From the Superintendent of Parks submitting an informational report outlining deed restrictions, covenants, zoning issues, LAWCON provisions, adopted Board policy and any other policy or restrictions that will impact implementation of broad scale privatization efforts. **(INFORMATIONAL UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.) (Copy attached to original copy of these minutes.)** (Tape No. 41B-505)

MOTION BY: (McCUE) Lay over. **(Vote 6-0)**

AYES: Devine, Borkowski, Schmitt, McCue, Broderick and De Bruin (Chairman)

NOES: None

EXCUSED: Clark

Scheduled items (continued):

15. 01-540 Verbal presentation from the Superintendent of Parks relative to a State
(a)() Transportation Enhancement grant for the construction of a new multi-use trail
segment from East North Avenue to East Locust Street. **(INFORMATIONAL
UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)** (Tape No. 41B-517
to 609)

APPEARANCES: Mr. Todd Davies, Direct Developer, READCo
Mr. Scott Peak, University of Wisconsin-Milwaukee
Mr. Kevin Haley, Landscape Architect, Parks Department
Ms. Sue Black, Superintendent, Parks Department

Mr. Haley stated that a Memorandum of Understanding is being developed for
submission to the Committee next month. Mr. Davies explained the proposed
land swap and trail improvements.

NO ACTION TAKEN ON THE ABOVE ITEM.

16. 06-56 From Right of Way Agent, WE Energies, requesting approval of an easement to
replace an underground cable immediately adjacent to South 116th Street.
**(Report from the Superintendent of Parks recommending approval of the said
request.)** (Tape No. 41B-610)

APPEARANCES: Mr. Kevin Haley, Landscape Architect, Parks Department

MOTION BY: (DEVINE) Approve items 16 and 17 (File Nos. 06-56 and 06-
209). **(Vote 6-0)**

AYES: Devine, Borkowski, Schmitt, McCue, Broderick and De Bruin
(Chairman)

NOES: None

EXCUSED: Clark

17. 06-209 From the Superintendent of Parks, requesting authorization to enter into
temporary and permanent easements for the construction, operation and
maintenance of the Milwaukee Metropolitan Sewerage District (MMSD)
proposed sanitary sewer segment and related improvements across portions of
Tippecanoe Park at 1413 East Warnimont Street and Clement Avenue.

SEE ACTION UNDER NUMBER SIXTEEN (16) ABOVE.

18. 06-208 From the Superintendent of Parks, requesting authorization to apply for and
accept a Wisconsin Department of Natural Resources (WDNR) grant for 50%
of the local share of an already-approved Federal Congestion Mitigation Air
Quality (CMAQ) grant to create access from the Oak Leaf Trail to an underpass

Scheduled items (continued):

of Beloit Road. (Tape No. 41B-629 to 665)

APPEARANCES: Ms. Sue Black, Superintendent, Parks Department
Mr. Shawn Schmidt, Partnership and Policy Development Manager, Parks
Department

Discussion ensued regarding the 2007 capital budget requests and rescinding the applications if funding is not available.

MOTION BY: (BORKOWSKI) Approve items 18 through 21 (File Nos. 06-208, 06-207, 06-198 and 06-199). **(Vote 6-0)**

AYES: Devine, Borkowski, Schmitt, McCue, Broderick and De Bruin
(Chairman)

NOES: None

EXCUSED: Clark

19. 06-207 From the Superintendent of Parks, requesting authorization to apply for and accept a WDNR grant for 50% of the local share of an already-approved Federal CMAQ grant to redevelop the Oak Leaf Trail between West Congress Street and West Silver Spring Drive.

SEE ACTION UNDER NUMBER EIGHTEEN (18) ABOVE.

20. 06-198 From the Superintendent of Parks, requesting authorization to apply for a WDNR Outdoor Recreation grant for Kohl Park Trail Development, and to accept the grant contingent upon the 50% local match being fully funded in 2007.

SEE ACTION UNDER NUMBER EIGHTEEN (18) ABOVE.

21. 06-199 From the Superintendent of Parks, requesting authorization to apply for a Wisconsin Department of Transportation Local Transportation Enhancements Program grant for the Oak Leaf Trail connections to the Ozaukee County Interurban Trail and a planned Oak Leaf Trail segment in Kohl Park, and to accept the grant contingent upon the 50% local match being fully funded in 2007.

SEE ACTION UNDER NUMBER EIGHTEEN (18) ABOVE.

STAFF PRESENT:

Mr. Gary Mick, Director, Environmental Services, Department of Public Works, AE&ES
Mr. Greg High, Director, AE&ES, Department of Public Works

Scheduled items (continued):

Mr. Mike Zylka, Preventative Maintenance Program Manager, Department of Public Works
Ms. Julie Esch, Research Analyst, Committee on Parks, Recreation and Culture
Mr. Chuck Wikenhauser, Zoo Director
Ms. Fran Rudig, Communications Specialist, County Executive's Office
Mr. Michael Bernatz, Chief Financial Officer, MPM
Ms. Sue Black, Superintendent, Parks Department
Mr. Bill Domina, Milwaukee County Corporation Counsel
Ms. Lauri Panella, Chief of Recreation Services, Parks Department
Mr. Jim Keegan, Finance Manager, Parks Department
Mr. Stephen Agostini, Fiscal and Budget Administrator, DAS
Mr. Kevin Haley, Landscape Architect, Parks Department
Mr. Shawn Schmidt, Partnership and Policy Development Manager, Parks Department

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 1:45 p.m.

Maribeth Welchman
Committee Clerk

Mw:H:\Shared\COMCLERK\Committees\2006\April06\Parks\Rm040406.doc